

भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 35] नई दिल्ली, शनिवार, सितम्बर 2, 1967/भाद्र 11, 1889

No. 35] NEW DELHI, SATURDAY, SEPTEMBER 2, 1967/BHADRA 11 1889

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

नोटिस

NOTICE

नीचे लिखे भारत के असाधारण राजपत्र 8 अगस्त 1967 तक प्रकाशित किये गये।

The undermentioned Gazettes of India Extraordinary were published up to the 8th August 1967 :—

Issue No.	No. and Date	Issued by	Subject
144	G.S.R. 1193, dated 5th August, 1967	Ministry of Finance	Exempting the certain excisable goods specified in the table therein from the special duty of excise leviable thereon.
	G.S.R. 1194, dated 5th August, 1967	Do.	Direction regarding a rebate of the special duty of excise.
	G.S.R. 1195, dated 5th August, 1967	Do.	Exempting excisable goods from the duty of excise leviable thereon.
	G.S.R. 1196, dated 5th August, 1967.	Do.	Exempting all varieties of tea except package tea, produced by a bought-leaf factory, from the whole of the special duty of excise leviable thereon.

Issue No.	No. and Date	Issued by	Subject
	G.S.R. 1197, dated 5th August, 1967.	Ministry of Finance	Exempting all varieties of tea except package tea, produced in a factory owned by a co-operative society registered under any law relating to co-operative Societies, from the whole of the special duty of excise leviable thereon.
	G.S.R. 1198, dated 5th August, 1967.	Do.	Exempting strawboard and millboard from the special duty of excise leviable thereon.
	G.S.R. 1199, dated 5th August, 1967.	Do.	Exempting aluminium in any crude form and aluminium manufactures from the special duty of excise leviable thereon.
	G.S.R. 1200, dated 5th August, 1967	Do.	Exempting certain exciseable goods from the special duty of excise leviable thereon.
	G.S.R. 1201, dated 5th August, 1967	Do.	Exempting rayon and synthetic yarn from the special duty of excise leviable thereon.
	G.S.R. 1202, dated 5th August, 1967	Do.	Exempting rayon and synthetic yarn consisting entirely of cellulose derivatives or regenerated cellulose or both from the special duty of excise leviable thereon.
	G.S.R. 1203, dated 5th August, 1967.	Do.	Exempting all goods specified in the First Schedule to the Indian Tariff Act, 1934 (32 of 1934) from the special duty of customs leviable thereon.
145	G.S.R. 1227, dated 7th August, 1967	Lok Sabha Secretariat.	The Housing and Telephone Facilities (Members of Parliament) Amendment Rules, 1967.
146	G.S.R. 1228, dated 7th August, 1967.	Rajya Sabha Secretariat.	The Housing and Telephone Facilities (Members of Parliament) Amendment Rules, 1967.
147	G.S.R. 1229, dated 7th August, 1967.	Ministry of Finance	Exempting certain articles specified in the table therein from the duty of customs leviable thereon.

Issue No.	No. and Date	Issued by	Subject
148	G.S.R. 1230, dated 8th August, 1967	Ministry of Finance	Exempting Dripolene 'A' and 'B' from the duty of excise and additional duty of excise leviable thereon.

ऊपर लिखे असाधारण राजपत्रों की प्रतियां प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के नाम मांगपत्र भेजने पर भेज दी जाएंगी। मांगपत्र प्रबन्धक के पास इन राजपत्रों के जारी होने की तारीख से 10 दिन के भीतर पहुंच जाने चाहिए।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications. Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

भाग II—खण्ड 3—उपखण्ड (i)

PART II—Section 3—Sub-Section (i)

(रक्षा मंत्रालय की छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य-क्षेत्रों के प्रशासनों को छोड़कर) केन्द्रीय प्राधिकारियों द्वारा जारी किये गये विधि के अन्तर्गत बनाये और जारी किये गये साधारण नियम (जिनमें साधारण प्रकार के आदेश, उप-नियम आदि सम्मिलित हैं)।

General Statutory Rules (including orders, bye-laws etc. of a general character)-issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF FINANCE

(Department of Revenue & Insurance)

CENTRAL EXCISES

New Delhi, the 2nd September 1967

G.S.R. 1292.—In exercise of the powers conferred by sub-rule (i) of rule 8 of the Central Excise Rules, 1944, the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 24/65-Central Excises, dated the 28th February, 1965, namely:—

In the Table in the said notification, in the entry in column 5, against Serial No. 6, in the second proviso, after the words "waste arising in the process of printing of a daily newspaper", the words "or any waste which had so arisen and was lying in stock on the 16th October, 1965," shall be inserted.

[No. 196/67.]

DAYA SAGAR, Under Secy.

(Department of Revenue & Insurance)**CORRIGENDUM***New Delhi, the 2nd September 1967*

G.S.R. 1293.—In the notification of the Government of India (Department of Revenue and Insurance) No. G.S.R. 1174 dated the 5th August 1967, on pages 1268 and 1269 of the Gazette of India Part II, Section 3(i) dated the 5th August 1967, at page 1269 in line 3 from below, for "4th May of March, 1967", read "4th day of March, 1967".

[No. 57/F. No. 238/1/65-DBK.]

G. P. DURAIRAJ, Dy. Secy.

MINISTRY OF EDUCATION*New Delhi, the 23rd August 1967*

G.S.R. 1294.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Anthropological Survey of India (General Central Service Class I and Class II posts) Recruitment Rules, 1967, issued with the notification of the Government of India in the Ministry of Education No. 1/20/64-SIII dated the 3rd April, 1967, namely:—

1. (1) These rules may be called the Anthropological Survey of India (General Central Service Class I and Class II posts) Recruitment Amendment Rules, 1967.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Anthropological Survey of India (General Central Service Class I and Class II posts) Recruitment Rules, 1967, for the entry in column 11 against the post Anthropologist (Cultural Anthropology Division), the following entry shall be substituted, namely:—

"Promotion.—Assistant Anthropologist (Cultural Anthropology Division) with three years service in the grade."

[No. 1/20/64-SIII.]

S. K. SANYAL, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING*New Delhi, the 19th August 1967*

G.S.R. 1295.—In exercise of the powers conferred by section 22 of the Press Council Act, 1965 (34 of 1965), the Central Government hereby makes the following rules further to amend the Press Council Rules, 1966, namely:—

1. (1) These rules may be called the Press Council (Amendment) Rules, 1967.

(2) They shall be deemed to have come into force on the 12th December, 1966.

2. In the Press Council Rules, 1966—

(2) in rule 7, for sub-rules (2) and (3), the following sub-rules shall be substituted, namely:—

“(2) In respect of any post which carries a scale of pay the minimum of which exceeds Rs. 900, appointment shall be made by the Council from a panel of not less than three persons recommended by a Selection Committee constituted by the Council, consisting of the Chairman and two other members of the Council nominated by it:

Provided that where such a post is to be filled by promotion, it shall not be necessary for the Committee to recommend more than one person.

(3) The Selection Committee referred to in sub-rule (2) shall also select suitable persons for all posts other than that referred to in that sub-rule.

(4) The persons selected under sub-rule (3) shall be appointed,—

(a) in the case of any post carrying a scale of pay the maximum of which does not exceed Rs. 95/-, by the Secretary;

(b) in other cases, by the Chairman.

(5) Notwithstanding anything contained in sub-rules (3) and (4), the Chairman may make a temporary appointment to any post, other than the post referred to in sub-rule (2), on an *ad-hoc* basis for a period not exceeding six months if the vacancy is required to be filled urgently, so however, that every appointment so made shall, before the expiry of that period, be reported to the Selection Committee for its approval; and where in any case an appointment so made is not approved by the Selection Committee, the person so appointed shall cease to hold the post from such date as the Committee may specify in this behalf.”;

(3) rule 11 shall be omitted.

[No. 11/13/67-P&PC.]

H. B. KANSAL, Under Secy.

New Delhi, the 21st August 1967

G.S.R. 1296.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Central Information Service Rules, 1959, published with the notification of the Government of India in the Ministry of Information and Broadcasting No. GSR-217 (CIS) dated the 16th February, 1959, namely:—

1. These rules may be called the Central Information Service (Eleventh Amendment) Rules, 1967.

2. In the Central Information Service Rules, 1959, for rule 7, the following rule shall be substituted, namely:—

“7. Probation.—(1) Every officer appointed to a grade by direct recruitment, shall be on probation for a period of two years, provided that Government may, at its discretion, count any period of service spent by the officer in posts carrying equivalent or higher responsibilities, towards the said period of two years.

(2) The periods of probation of officers appointed to the different grades on the basis of the recommendations of a Departmental Promotion Committee or a departmental competitive examination shall be as follows, namely:—

Selection Grade	1 year
Senior Administrative Grade	1 year
Junior Administrative Grade	1 year
Grade I	2 years
Grade II	2 years
Grade III	2 years

Provided that Government may, at its discretion, count any period of successful officiating service in the grade to which an officer is appointed, towards the period of probation specified in this sub-rule for that grade.

- (3) The Government may, in the case of any officer to whom sub-rules (1) and (2) apply, extend the period of probation in its discretion.
- (4) During the period of probation, a member of the Service may be required to undergo such training and to pass such tests as the Government may, from time to time, prescribe.
- (5) If, at any time during or at the end of the period of probation or of any extension thereof, the Government is of the opinion that an officer appointed to a Grade on probation is not fit for permanent appointment or for retention in service in an officiating or temporary capacity, the officer may,—
 - (i) if he is appointed thereto by direct recruitment, be discharged from service in that grade, and
 - (ii) if he is appointed thereto by promotion, be reverted to the grade from which he was so promoted.
- (6) The pay and increments of pay of officers on probation shall be regulated in accordance with the rules and orders issued in that behalf by the Government, from time to time."

[No. F. 1/6/65-CIS Amendment No. 34.]

BANU RAM AGGARWAL, Under Secy.

MINISTRY OF COMMERCE

(Tea Board)

New Delhi, the 2nd September 1967

TEA WASTE (CONTROL) ORDER, 1959

G.S.R. 1297.—In exercise of the powers conferred by clause 15(1) of the Tea Waste (Control) Order, 1959, the Licensing Authority hereby directs that every licensee under the above Order shall maintain with effect from 1st September, 1967 records of his purchases/arising/disposal of tea waste in the amended form No. TW-1 appended hereto:

AMENDED FORM No. TW-1.

Daily Register of Purchase/Arisings/Disposal of Tea Waste vide Clause 15(1) of the Tea Waste (Control) Order 1959

LICENCE No.

PLACE OF STORAGE/TEA ESTATE.....

NAME OF THE LICENCEE

FOR THE CALENDAR YEAR 19.....

Month & Date	Purchase of Tea Waste				Arising of Tea Waste		Disposal of Tea Waste										Remarks
	Opening balance	From whom purchased (give Lic. No. of seller)	Quantity purchased	thereof	Quantity of tea waste arising from manufacture, blending, storing.	Weight & Description of the denaturing substance add.	Total of Cols. 6 & 7.	To whom sold (give Lic. No. of the purchaser)	Quantity sold	To whom exported (with full particulars)	Quantity exported	Bill No. by which tea waste sold or exported with date thereof	Quantity of tea waste used for caffeine manufacturing.	Quantity of tea waste destroyed (quote Authority No.)	A.R.I. No. (Quote No.)	Balance of stock	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
kg.			kg.		kg.	kg.	kg.		kg.		kg.		kg.	kg.	kg.	kg.	

N.B.—

I. Columns not applicable are to be left blank.

II. Column 15 to be filled up by tea gardens only.

III. All quantities to be given in Kilogram.

IV. Column No. 16 to be filled up by those licensees who are required to maintain record for tea waste for Central Excise purposes.

[No. 54/LC]

BHAGWAN SINGH, Chairr
Tea Board, Licensing Author

New Delhi, the 22nd August 1967

G.S.R. 1298.—In exercise of the powers conferred by Section 57 of the Mines Act, 1952 (35 of 1952) the Central Government hereby makes the following regulations further to amend the Coal Mines Regulations, 1957 after previous publication of a draft thereof and after referring the said draft to the Mining Boards constituted under the said Act and after giving such Boards a reasonable opportunity of reporting as to the expediency of making the proposed amendments and as to the suitability thereof, as required by sub-sections (1) and (4) of section 59 of the said Act, namely:—

1. These regulations may be called the Coal Mines (Amendment) Regulations, 1967.

2. For Regulation 191 of the Coal Mines Regulations, 1957 the following regulations shall be substituted, namely:—

- “191. *Use, supply and maintenance of protective footwear.*—(1) No person shall go into, or work, or be allowed to go into or work in, a mine, unless he wears a protective footwear of such type as may be approved by the Chief Inspector by a general or special order in writing.
- (2) The protective footwear referred to in sub-regulation (1) shall be supplied free of charge, at intervals not exceeding six months, by the owner, agent or manager of a mine who shall at all times maintain a sufficient stock of protective footwear in order to ensure immediate supply as and when need for the same arises.
- (3) Where a footwear is provided otherwise than as aforesaid, the supply shall be made on payment of full cost.
- (4) The owner, agent or manager of a mine shall provide at suitable places in the mine dubbing and revolving brushes or make other suitable alternative arrangements for cleaning of protective footwear by the persons using them. It shall however be the responsibility of the persons supplied with protective footwear to arrange the repair of the same at his own cost.
- 191-A *Use and supply of helmet.*—(1) No person shall go into, or work or be allowed to go into, or work in, a mine other than the precincts of a mine occupied by an office building, canteen, creche, rest shelter, first aid room or any other building of similar type, unless he wears a helmet of such type as may be approved by the Chief Inspector by a general or special order in writing:

Provided that where the Chief Inspector is of the opinion that owing to special circumstances it is not necessary or reasonably practicable for any person or class of persons going into or working in a mine to wear a helmet he may, by a general or special order in writing and subject to such conditions as he may specify therein, exempt such person or class of persons from the operation of the provisions of this sub-regulation.

- (2) The helmet referred to in sub-regulation (1) shall be supplied free of charge at intervals not exceeding three years or such other interval as the Chief Inspector may specify by a general or special order in writing by the owner, agent or manager of a mine who shall at all times maintain a sufficient stock of helmets in order to ensure immediate supply as and when need for the same arises:

Provided that when a helmet is accidentally damaged during legitimate use the owner, agent or manager shall immediately replace the damaged helmet free of cost.

- (3) Where a helmet is provided otherwise than as aforesaid, the supply shall be made on payment of full cost.

191-B. Supply of other protective equipment.—(1) Where it appears to the Regional Inspector or the Chief Inspector that any person or class of persons employed in a mine is exposed to undue hazard by reason of the nature of his employment, he may, by a general or special order in writing, require the owner, agent or manager of the mine to supply to such person or class of persons, free of charge, gloves, goggles, shinguards, or such other protective equipment as the Regional Inspector or the Chief Inspector may specify in the order.

(2) The protective equipment provided under sub-regulation (1) shall be replaced free of charge by the owner, agent or manager whenever it is rendered unserviceable by legitimate use. In any other event, the replacement shall be made on payment of full cost.

(3) If any dispute as to the life of any protective equipment arises it shall be referred to the Chief Inspector for decision.

191-C. Obligation of persons provided with protective equipment.—Whenever any person is supplied by the owner, agent or manager of a mine with any protective equipment, he shall use the same while on work."

[No. 32/6/65-M.I.]

J. D. TEWARI, Under Secy.

MINISTRY OF TRANSPORT AND CIVIL AVIATION

(Office of Director General of Civil Aviation)

ORDERS

New Delhi, the 9th August 1967

G.S.R. 1299.—In pursuance of sub-rule 3 of rule 78A of the Aircraft Rules, 1937 and in continuation of Notification S.O. 2419 published in the Gazette of India dated 22nd July 1967, the Director General of Civil Aviation is pleased to authorise the undermentioned officials to demand for examination admission tickets for entry into International and Domestic passengers booking halls and lounges and the enclosures appertaining thereto in the Government Aerodrome at Palam (Delhi).

1. Controller of Aerodromes, Delhi Region.
 2. Senior Aerodrome Officers, Aerodrome Officers & Assistant Aerodrome Officers posted at Palam Airport.
 3. Aerodrome Operators, Airport Ticket Clerks, Caretakers and Chowkidars posted at Palam Airport.
 4. Any Police Officer.
2. This order shall come into force with effect from the 16th August, 1967.

[No. 15/32/66-SI.]

G.S.R. 1300.—In pursuance of sub-rule 2(b) of Rule 78A of the Aircraft Rules, 1937, the Director General of Civil Aviation is pleased to exempt the following from the provision of this sub-rule viz:—

1. All such Officers and Staff of Government departments, Airlines, Fuelling Companies, Airport Restaurants, Canteens, Stalls, Money Exchanges, Duty Free Shops, Contractors and labourers employed on regular work at Palam Airport and others in possession of permits issued by the Aerodrome Officer, Palam.
2. Officers of the Civil Aviation Department.

This order shall come into force with effect from the 16th August, 1967.

[No. 15/32/66-SI.]

B. M. GUPTA,
Director General.

MINISTRY OF HEALTH AND FAMILY PLANNING
(Department of Family Planning)

New Delhi, the 18th August 1967

G.S.R. 1301—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the posts of Investigators in the Regional Health Office, under the Central Family Planning Organisation namely :—

1. **Title** : These rules may be called the Central Family Planning Organisation (Investigators) Recruitment Rules, 1967.

2. **Application** : These rules shall apply for recruitment to the post specified in col. 1 of the Schedule annexed thereto.

3. **Classification & Scale of Pay** : The number of the post, its Classification and the scale of pay attached thereto shall be as specified in columns 3 and 4 of the said Schedule.

4. **Method of Recruitment, age limit and other Qualifications** : The method of recruitment, age limit and other matters connected therewith shall be as specified in columns 5 to 13 of the schedule aforesaid.

5. **Disqualifications** : (a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to these posts; and

(b) No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage, or who has married a person who has a wife living at the time of such shall be eligible for appointment to these posts:

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

Name of Post	No. of Posts	Classification	Scale of Pay	Whether Selection Post or Non-Selection Post	Age-limit for direct recruits	Educational and other qualifications required for direct recruits
I	2	3	4	5	6	
Investigator	4	General Central Service (Class II Non- Gazetted) (Non- Ministerial)	Rs. 325—15 —475—EB —25—575	Not applicable	Not applicable	Not applicable

Whether age and educational qualifications prescribed for the direct recruits will apply in the case of Promotees	Period of probation, if any	Method of rectt. whether by direct rectt. or by promotion or by deputation/transfer & percentage of the vacancies to be filled by various methods	In case of rectt. by promotion/ deputation/ transfer, grades from which promotion/deputation/transfer to be made	If a DPC exists, what is its composition	Circumstances in which U.P. S.C. is to be consulted in making rectt.
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8	9	10	11	12	13
Not applicable	Not applicable	By transfer on deputation	<i>Transfer on deputation :</i> Suitable S.A.S. accountants working in any of the organised Accounts Deptt. e.g. Indian Audit and Accounts Department, the Indian Railway Accounts Department, the Indian Defence Accounts Department.	Not applicable	As required under the rules.
			(Period of deputation—ordinarily not exceeding 3 years).		

[No. 2-21/66-Estt. II (F.P.)]
 RAMESH BHADUR, Under Secy.

**MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT
AND COOPERATION**

(Department of Food)

New Delhi, the 23rd August 1967

G.S.R. 1302.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Sugarcane Breeding Institute, Coimbatore (Accountant) Recruitment Rules, 1963, namely:—

1. These rules may be called the Sugarcane Breeding Institute, Coimbatore (Accountant) Recruitment Amendment Rules, 1967.
2. For Schedule to the Sugarcane Breeding Institute, Coimbatore (Accountant) Recruitment Rules, 1963, the following Schedules shall be substituted, namely:—

SCHB

Name of the Post	No. of Posts	Classification	Scale of Pay	Whether selection or non-selection post (for promotion posts only)	Method of rectt. whether by direct rectt. or by promotion or transfer and percentage of the vacancies to be filled by various methods
1	2	3	4	5	6
Accountant	1 (Main Instt.) Project I	General Central Service Class III, Ministerial, Non-Gazetted.	Rs. 210-425	Selection	50% by Direct rectt. and 50% by promotion failing which by transfer.

DULE

For direct rectt. only			Whether age and educational qualifications prescribed for direct recruitment will apply in case of promotees/transferees	In case of rectt. by promotion/transfer grades from which promotion/transfer to be made	Circumstances in which UPSC/DPC is to be consulted
Age limit	Educational qualifications	Period of probation trial, if any			
7	8	9	10	11	12
Not more than 30 years.	(i) Intermediate/Senior Cambridge/Higher Secondary Certificate or Equivalent qualifications. (ii) 3 years' experience in accounts or professional qualifications in book-keeping or accounts.	Two years.	Not applicable	<i>Promotion :</i> U.D.C. working in the Institute and Sub-Stations, with 3 years' service in the grade. <i>Transfer :</i> Persons working in similar or equivalent grades from the Central/State Government Offices.	Not applicable.

MINISTRY OF WORKS, HOUSING AND SUPPLY

New Delhi, the 22nd August 1967

G.S.R 1303—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, regulating the method of recruitment of persons to General Central Service Class I in the Town and Country Planning Unit, in the Union Territory of Pondicherry, namely :—

Short Title.—These rules may be called the Pondicherry Town and Country Planning Unit (Class I) Recruitment Rules, 1967.

Application.—These rules shall apply to the post specified in column 1 of the Schedule annexed to these rules.

Number, Classification and scale of pay.—The number of the said post, its classification and the scale of pay attached thereto shall be as specified in columns 2, 3 and 4 of the said Schedule.

Method of recruitment, age limit and other qualification.—The method of recruitment to the said post and the age limit, qualification and other matters connected therewith shall be as specified in columns 5 to 7 of the Schedule aforesaid ;

Provided that the maximum age limit specified in column 6 of the said Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes or other special categories of persons, in accordance with the orders issued by the Central Government from time to time.

Disqualification.—(i) No person who has more than one wife living or who having a spouse living, married in any case in which such marriage in void by reason of its taking place during the lifetime of such spouse, shall be eligible for appointment to the said post, and

(ii) No woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage shall be eligible for appointment to the said post :

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

S CHB

Name of Post	No. of posts	Classification	Scale of pay	Whether Selection Post or non-Selection Post	Age for direct recruits	Educational and other qualifications required for direct recruits
1	2	3	4	5	6	7
Senior Town Planner	One	General Central Service Class I (Gazetted)	Rs. 700—4— 1100—50/2 1250.	Not Applicable	40 years and below. (Relaxable for Govt. Servants).	Essential :— (i) Degree in Regional/Town Planning or an equivalent qualification of a recognized University or Institution. (ii) About 5 years' experience in Town Planning in a responsible position. (iii) Knowledge of Town Planning Laws and Civic Designs.

DULE

Whether age and educational qualifications prescribed for direct recruits will apply in the case of Promotees	Period of probation if any	Method of rectt. whether by direct rectt. or by promotion or by deputation/transfer & percentage of the vacancies to be filled by various methods	In case of rectt. by promotion/deputat on/transfer, grades from which promotion/deputat on/transfer to be made	If a DPC exists, what is its composition	Circumstance in which UPSC is to be consulted in making rectt.
8	9	10	11	12	13
No	2 years	By transfer on deputation failing which by direct recruitment.	<i>Transfer on deputation.</i> Suitable officers holding analogous posts in Town and Country Planning Organisations under the Central/State Governments. (Period of deputation—ordinarily not exceeding 3 years).	Not Applicable	As required under the rules.

1	2	3	4	5	6	7
						(Qualifications relaxable Commission's discretion in case of candidates otherwise well qualified).
						<i>Desirable :—</i>
						(i) Degree or diploma in architecture, civil or municipal engineering.
						(ii) Experience in preparing development plans for cities.
						(iii) Associateship of the Institute of Town Planners (India) or equivalent membership of a professional organization.

8	9	10	11	12	13
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[No. 27017(3)/66-UD.]

P. K. SEN, Jt. Secy.

MINISTRY OF INDUSTRIAL DEVELOPMENT & COMPANY AFFAIRS

(Department of Industrial Development)

(Central Boilers Board)

New Delhi, the 21st August 1967

G.S.R. 1304.—The following draft of certain Regulations further to amend the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 31st October, 1967.

Any objections or suggestions which may be received from any person with respect to the said draft before the date as specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary Central Boilers Board, Ministry of Industrial Development & Company Affairs (Deptt of Industrial Development) 'Udyog Bhavan' New Delhi.

Draft Regulations

1. These Regulations may be called the Indian Boiler (Amendment) Regulations, 1967.

2. In the Indian Boiler Regulations, 1950,—

(i) in clause (a) of Regulation 347, after sub-clause (vi) the following sub-clause shall be inserted namely:—

“(vii) For butt welded pipes flattening test carried out in accordance with any other standard code may be accepted, in which case the code shall be specified.”

(ii) after clause (e) in Regulation 347, the following clause shall be inserted, namely:—

“(f) Hydraulic Test—Each pipe shall be tested by hydraulic pressure on completion of manufacture. The test pressure shall be 1.5 times the design pressure, but in any case shall not be less than 1000 pounds per square inch (70 kg/cm²) nor greater than the pressure calculated from the formula:—

$$P = \frac{2st}{D}$$

Where—

P = the test pressure

D = the outside diameter

t = the nominal wall thickness

and

s = a stress which shall be taken as 40 per cent of the minimum tensile strength at room temperature

for butt-welded tubes with a maximum permissible working pressure of 31 Kg/cm² (300 lbs p.s.i.) the test pressure shall be not less than 50 kg/cm².”

(iii) for Table 1 under Regulation 347, the following table shall be substituted, namely:—

“Table 1—Carbon Steels—Butt welded pipes

Kind of test-pipes.	Ultimate tensile strength in Kg/Sq. mm. (tons per sq. inch.)	Minimum elongation Per cent on gauge on length 5.65 where A is the original area cross-section of the test-pipes.	Sulphur Per cent maximum	Phosphorus Per cent maximum
Strips cut from the pipes clear off the welds and tested in their curved condition or Test length taken from finished pipes (ends of pipes to be plugged for grips)	35-47 (922-30)	27-20	0.050	0.050”

[No. BL-2(2)/62-EEL.]

G.S.R. 1305.—In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), the Central Boilers Board hereby makes the following Regulations further to amend the Indian Boiler Regulations, 1950, the same having been previously published as required by sub-section (1) of section 31 of the said Act, namely:—

1. The Regulations may be called the Indian Boiler (Second Amendment) Regulations, 1967.

2. In the Indian Boiler Regulations, 1950,—in clause (2) of sub-regulation (f) of Regulation 365—

- (1) for the portion beginning with the word and figure "Class I" and ending with the words and figure "specified for Class I", the following shall be substituted, namely:—

"Class I — No limit to scantlings.

Class II — When none of the following limits is exceeded;

(i) Working Pressure—500 lbs/sq. in. (35 kg/sq. cm.).

(ii) Product of Working Pressure and internal diameter—3750 (21,000).

(iii) Design temperature—650°F (343°C).

Class III — When none of the following limits is exceeded:—

(i) Working Pressure—105 psi (7.4 kg/sq. cm.).

(ii) Product of Working Pressure and internal diameter—3250 940

(iii) Design temperature—340°F (171°C);

- (2) for the last sub-paragraph beginning with the words "All shells shall" and ending with the word and figures "Chapter XII", the following shall be substituted, namely:—

"Tests for Class III fusion welded seams shall comply with the requirements of those of Chapter XII.

Class I and Class II shells shall be stress relieved by heat-treatment after completion of all welding and before hydraulic test. The heat-treatment shall conform to the requirements of Chapter XII";

- (3) in sub-regulation (a) of regulation 366—

- (1) in "t" below the equation for determining the maximum working pressure of shells, for the word "Permissible" the words and figures "maximum permissible as prescribed in Regulations 271 or 350, whichever is applicable" shall be substituted;

- (2) for the first Table, the following Table shall be substituted, namely:—

Class	Efficiency factor E
I	0.90
II	0.75 if welded from both sides 0.50 if welded from one only
III	0.45

- (3) in the second Table prescribing the minimum thickness of shells, in the first column, after the words and figures "Fusion welded Class II", the word and figures "and Class III" shall be inserted;

- (4) the third table and the sentence above and below that table for determining the maximum permissible stress for cylindrical parts of seamless fusion welded and riveted shells shall be omitted;

- (5) the fourth table and the sentence above and below that table for determining the maximum permissible stress for shells made from weldless pipes shall be omitted;

- (6) the paragraph dealing with suitability of circumferential seams of riveted shells shall be omitted;

3. In clause (2) of sub-regulation (b) of regulation 366—

for “F” below the equation for determining the maximum working pressure for welded in flat and plates, the following shall be substituted, namely:—

“—Maximum permissible working stress in pounds per sq. inch at working metal temperature as prescribed in regulation 271”; and the sentence below the table for determining the value of “F” shall be omitted;

4. In clause (i) of sub-regulation (b) of regulation 630, for the word and figures “Equation 72” the words and figures brackets and letter of “regulation 366(a)” shall be substituted.

[No. BL-9(35)/64-EEI.]

G.S.R. 1306.—In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), the Central Boilers Board hereby makes the following Regulations further to amend the Indian Boiler Regulations, 1950, the same having been previously published as required by sub-section (1) of section 31 of the said Act, namely:—

1. The Regulations may be called the Indian Boiler (Fourth Amendment) Regulations, 1967.

2. In the Indian Boiler Regulations, 1950, in sub-regulation (b)(1) of Regulation 266, for the paragraph containing the formula regarding the value of E, the following shall be substituted, namely:—

“The value of E may be taken as unity when the diametral cross sectional area of the compensating frame and/or ring is equal to or greater than the diametral cross-sectional area of the opening in the end plate to be compensated.”

[No. BL-9(3)/65-EEI.]

G.S.R. 1307.—In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), the Central Boilers Boards hereby makes the following Regulations further to amend the Indian Boiler Regulations, 1950, the same having been previously published as required by sub-section (1) of section 31 of the said Act, namely:—

1. These Regulations may be called the Indian Boiler (Fifth Amendment) Regulations, 1967.

2. In the Indian Boiler Regulations, 1950 for Regulation 255, the following Regulation shall be substituted, namely:—

“255. *Position of the Tube holes.*—Tube holes in welded seams should be avoided. Where they are unavoidable they may be machined through welded seams after these seams have been radiographed and stress relieved. The efficiency of the ligament in the direction of weld shall be multiplied by a weld factor not exceeding 0.95 except where the distance from the edge of the Tube hole to the edge of the weld is greater than 13 mm. (1/2 in.). The edge of the weld shall be considered to be the edge of the weld groove as machined in the plate prior to welding.”

[No. BL-9(30)/65-EEI.]

G.S.R. 1308.—In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), the Central Boilers Board hereby makes the following Regulations further to amend the Indian Boiler Regulations, 1950, the same having been previously published as required by sub-section (1) of section 31 of the said Act, namely:—

1. The Regulations may be called the Indian Boiler (Third Amendment) Regulations, 1967.

2. In the Indian Boiler Regulations, 1950, Regulation 626, for the words and figures “or Chapter XI” the words and figures “and/or Chapter V” shall be substituted.

[No. BL-9(33)/65-EEI.]

G.S.R. 1309.—The following draft of Regulations further to amend the Indian Boiler Regulations, 1950, which the Central Boiler Board proposes to make in exercise of the power conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 1st October, 1967.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Industrial Development and Company Affairs (Dept. of Industrial Development) 'Udyog Bhavan' New Delhi.

Draft Regulations

1. These Regulations may be called the Indian Boiler (Amendment) Regulations, 1967.

2. They shall come into force on the date of their publication in the official Gazette. In the Indian Boiler Regulations, 1950,

In regulation 545, for clause (a) the following clause shall be substituted, namely:—

- (a) Flat end or dished end plates shall be in one piece made from one rolled plate, except where in case of flat end plate, it is impracticable to have in one piece owing the large diameter, such plate may be made of two pieces butt-welded together (see Figures XII/1 and XII/2). The weld shall be located preferably between two rows of bar stays or, if there is only one row of bar stays between this row and the top-row of stay tubes and shall be subjected to a spot radiographic examination. Where it is necessary to locate the weld elsewhere in the end plate, it shall be subjected to a full radiographic examination."

[No. BL-9(40)/65-EEL.]

G.S.R. 1310.—In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), the Central Boilers Board hereby makes the following Regulations further to amend the Indian Boiler Regulations 1950, the same having been previously published as required by sub-section (1) of section 31 of the said Act, namely:—

1. The Regulation may be called the Indian Boiler (Sixth Amendment) Regulations, 1967.

2. In the Indian Boiler Regulations, 1950, for sub-regulation (2a) of Regulation 1, the following shall be substituted, namely:—

"2(a) These Regulations generally apply to

- (i) all boilers, including those working on the principles of natural circulation, forced circulation and forced flow with no fixed steam and water-line, and
- (ii) to steam-pipes."

[No. BL-9(13)/66-EEL.]

P. J. MENON, Secy.

(Department of Industrial Development)

New Delhi, the 23rd August 1967

G.S.R. 1311.—In exercise of the powers conferred by Sections 5 and 7 of the Indian Explosives Act, 1884 (4 of 1884) the Central Government hereby makes the following rules further to amend the Explosives Rules, 1940, the same having been previously published as required by Section 18 of the said Act, namely:

1. (i) These Rules may be called the Explosives (Second Amendment) Rules, 1967.

(ii) They shall come into force on the date of their publication in the Official Gazette

2. In the Explosives Rules, 1940, in rule 3 in the definition relating to "District authority":—

- (a) in paragraph (iii), the word 'and' shall be omitted;
- (b) paragraph (iv) & (v) shall be renumbered as paragraphs (vii) and (viii) and before paragraph (vii) as so numbered, the following paragraphs shall be inserted, namely:—
 - "(iv) in the city of Bangalore, the Commissioner of Police, Bangalore City;
 - (v) in the city of Nagpur, the Commissioner of Police, Nagpur City;
 - (vi) in the City of Poona, the Commissioner of Police Poona City;"
- (c) in paragraph (vii) as so renumbered the word "and" shall be added at the end

[No. 38/4/67-LI(I).]

R. K. RANGAN, Dy. Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 22nd August 1967

G.S.R. 1312.—Whereas the Chief Justice of the Andhra Pradesh High Court has, with the previous consent of the President, requested:—

- (a) Shri P. Satyanarayana Rao, who has held the Office of a Judge of the Madras High Court.
- (b) Shri M. Seshachalapathi, who has held the office of a Judge of the Andhra Pradesh High Court,

to sit and act as Judges of the Andhra Pradesh High Court with effect from the date on which they take their respective seats as Judges of that High Court until the date on which that High Court closes for the long vacation during the year 1968;

And whereas the said Shri P. Satyanarayana Rao and Shri M. Seshachalapathi have consented to sit and act as Judges of that High Court;

Now, therefore, in pursuance of article 224A of the Constitution of India, the President hereby determines that each of the said persons, namely Shri P. Satyanarayana Rao and Shri M. Seshachalapathi, shall be entitled, for the period during which he sits and acts as a Judge of the Andhra Pradesh High Court, to an allowance of rupees three thousand and five hundred per month, minus the pension and pension equivalent of any other retirement benefits drawn by him as a retired Judge of the Madras High Court and the Andhra Pradesh High Court.

[No. 12/5/67-Jud.I.]

New Delhi, the 23rd August 1967

G.S.R. 1313.—Whereas the Chief Justice of the High Court of Punjab and Haryana has, with the previous consent of the President, requested:—

- (a) Shri Tek Chand who has held the office of a Judge of the Punjab High Court,
- (b) Shri R. P. Khosla and Shri P. D. Sharma, both of whom have held the offices of Judges of the Punjab High Court and also of the High Court of Punjab and Haryana,

to sit and act as Judges of the High Court of Punjab and Haryana with effect from the date on which they take their respective seats as Judges of that High Court until the date on which that High Court closes for the long vacation during the year 1968;

And whereas the said Shri Tek Chand, Shri R. P. Khosla, and Shri P.D. Sharma have consented to sit and act as Judges of that High Court;

Now, therefore, in pursuance of article 224-A of the Constitution of India, the President hereby determines that each of the said persons, namely, Shri Tek Chand, Shri R. P. Khosla, and Shri P. D. Sharma, shall be entitled, for the period during which he sits and acts as a Judge of the High Court of Punjab and Haryana, to an allowance of rupees three thousand and five hundred per month, minus the pension and pension equivalent of any other retirement benefits drawn by him as a retired Judge of the Punjab High Court and the High Court of Punjab and Haryana.

[No. 4/3/67-Jud.I(i).]

G.S.R. 1314.—Whereas the Chief Justice of the High Court of Assam and Nagaland has, with the previous consent of the President, requested Shri Kamalesh Chandra Sen, who has held the office of a Judge of the Calcutta High Court, to sit and act as a Judge of the High Court of Assam and Nagaland for a period of one year with effect from the date on which he takes his seat as a Judge of that High Court;

And whereas the said Kamalesh Chandra Sen has consented to sit and act as a Judge of that High Court;

Now, therefore, in pursuance of article 224A of the Constitution of India the President hereby determines that the said Kamalesh Chandra Sen shall be entitled, for the period during which he sits and acts as a Judge of the High Court of Assam and Nagaland, to an allowance of rupees three thousand and five hundred per month, minus the pension and pension equivalent of any other retirement benefits drawn by him as a retired Judge of the Calcutta High Court.

[No. 4/3/67-Jud.I(ii).]

G.S.R. 1315.—Whereas the Chief Justice of the Madhya Pradesh High Court has, with the previous consent of the President, requested:—

- (a) Shri Binoy Kumar Choudhury, who has held the office of a Judge of Nagpur High Court and also of the Madhya Pradesh High Court,
- (b) Shri Tarachand Shrivastava, who has held the office of a Judge of the Madhya Pradesh High Court,

to sit and act as Judges of the Madhya Pradesh High Court with effect from the date on which they take their respective seats as Judges of that High Court until the date on which that High Court closes for the long vacation during the year 1968;

And whereas the said Shri Binoy Kumar Choudhury and Shri Tarachand Shrivastava have consented to sit and act as Judges of that High Court;

Now, therefore, in pursuance of article 224A of the Constitution of India, the President hereby determines that each of the said persons, namely, Shri Binoy Kumar Choudhury and Shri Tarachand Shrivastava shall be entitled, for the period during which he sits and acts as Judge of the High Court of Madhya Pradesh, to an allowance of rupees three thousand and five hundred per month, minus the pension and pension equivalent of any other retirement benefits drawn by him as a retired Judge of the Madhya Pradesh High Court

[No. 4/3/67-Jud.I(iii).]

K. K. RAY Jt. Secy

New Delhi, the 24th August 1967

G.S.R. 1316.—In exercise of the powers conferred by section 87 of the Punjab Reorganisation Act, 1966 (31 of 1966), the Central Government hereby extends to the Union territory of Chandigarh the Madras Chit Funds Act, 1961 (Madras Act 24 of 1961), as at present in force in the State of Madras, subject to the following modifications, namely:—

Modifications

1. Throughout the Act, unless otherwise specified, for the word "Government", the word "Administrator" shall be substituted and there shall also be made in any sentence, in which such substitution is made, such consequential amendments as the rules of grammar may require.

2. In section 1, for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) It extends to the whole of the Union territory of Chandigarh."

3. In section 2,—

(a) for clause (1), the following clauses shall be substituted, namely:—

"(1) "Administrator" means the Administrator for the Union territory of Chandigarh;

(1A) "approved bank" means a bank approved by the Administrator;"

(b) Clause (11) shall be omitted.

4. In section 12, the words "Government securities" in all places where they occur shall stand unmodified.

5. In section 37, in the second proviso to sub-section (2), for the words, figures, brackets and letter "Banking Companies Act, 1949 (Central Act X of 1949), such inspection shall be made only at the premises of the company", the words, figures and brackets "Banking Regulation Act, 1949 (Central Act 10 of 1949), or a corporation established by or under any statute and carrying on the business of banking, such inspection shall be made only at the premises of the company or the corporation, as the case may be," shall be substituted.

6. In section 38, for the portion beginning with "A chit registered in the presidency-town" and ending with the words "where the chit has been registered", the following shall be substituted, namely:—

"A chit may be wound up by the District Court".

7. In section 46, in sub-section (2), for the words "District Gazette", the words "Chandigarh Gazette" shall be substituted.

8. In section 47, the words "Where insolvency proceedings against the foreman are pending in different courts, the High Court may transfer the proceedings from one court to another as it may deem fit" shall be omitted.

9. In section 53, in sub-section (2), for the words "Fort St. George Gazette", the words "Chandigarh Gazette" shall be substituted.

10. In section 57, the words "a salaried presidency magistrate or" shall be omitted.

11. In section 59, in sub-section (1), the words "in the mufassal or presidency magistrate in the Presidency town," shall be omitted.

12. In section 63,—

(a) in clause (a) or sub-section (3), for the words "Fort St. George Gazette", the words "Chandigarh Gazette" shall be substituted, and

(b) sub-section (4) shall be omitted.

13. For section 67, the following section shall be substituted, namely:—

"67. Amendment of Central Act 2 of 1899 in its application to the Union territory of Chandigarh.—In Schedule 1A to the Indian Stamp Act,

1899 (Central Act 2 of 1899), in its application to the Union territory of Chandigarh, after 20, the following entry shall be inserted, namely:—

'20-A. A chit agreement, that is an agreement relating to a chit as defined in clause (2) of section 2 of the Madras Chit Funds Act, 1961 as extended to the Union territory of Chandigarh, if either such agreement is executed or the chit is conducted in the Union territory of Chandigarh.'	}	One rupee'.
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14. Section 68 shall be omitted.

15. Sub-section (2) of section 69 shall be omitted.

ANNEXURE

THE MADRAS CHIT FUND ACT, 1961 AS EXTENDED TO THE UNION TERRITORY OF CHANDIGARH

(MADRAS ACT 24 OF 1961)

An Act to provide for the regulation of chit funds in the State of Madras.

Whereas it is expedient to provide for the regulation of chit funds in the State of Madras:

BE it enacted in the Twelfth Year of the Republic of India as follows:—

CHAPTER I

Preliminary

1. **Short title and commencement.**—(1) This Act may be called the Madras Chit Funds Act, 1961.

(2) It extends to the whole of the Union territory of Chandigarh.

(3) It shall come into force on such date as the Administrator may, by notification, appoint, and different dates may be appointed for different areas and for different provisions of this Act.

2. **Definitions.**—In this Act, unless the context otherwise requires,—

(1) "Administrator" means the Administrator for the Union territory of Chandigarh;

(1A) "approved bank" means a bank approved by the Administrator;

(2) "chit" means a transaction whether called chit fund, chit, kuri, or, by any other name, by which its foreman enters into an agreement with a number of subscribers that every one of them shall subscribe a certain sum or a certain quantity of grain by instalments for a definite period and that each subscriber in his turn as determined by lot or by auction or by tender or in such other manner as may be provided for in the agreement, shall be entitled to a prize amount;

Explanation.—A transaction is not a chit within the meaning of this clause, if in such transaction—

(a) some alone, but not all, of the subscribers get the prize amount without any liability to pay future subscription; or

(b) all the subscribers get the whole of the chit amount by turns with a liability to pay future subscriptions.

Illustration.—There are 100 subscribers to a chit and the subscription by each of them is Rs. 10. All the subscribers get by turns Rs. 1,000 being the whole of the chit amount and are liable to pay future subscriptions. The transaction falls within clause (b) of the above Explanation and is not a chit;

(3) "chit agreement" means a document containing the articles of agreement between the foreman and the subscribers relating to the chit;

(4) "chit amount" means the sum total of the subscriptions payable by all the subscribers for any instalment of a chit without any deduction for discount or otherwise;

(5) "defaulting subscriber" means a subscriber who has defaulted in the payment of subscriptions due according to the terms of the chit agreement;

(6) "discount" means the sum or the quantity of grain, which a prized subscriber has under the terms of the chit agreement to forego and which is set apart under the said agreement to meet the expenses of running the chit or for distribution among the subscribers or for both;

(7) "dividend" means the share of a subscriber in the discount available under the chit agreement for rateable distribution among the subscribers at each instalment of the chit;

(8) "drawing" means ascertaining of the person or persons entitled to the prize amount at any instalment of a chit;

(9) "firm" means a firm registered under the Indian Partnership Act, 1932 (Central Act IX of 1932);

(10) "foreman" means the person who under the chit agreement is responsible for the conduct of the chit and includes any other person discharging the functions of the foreman under section 30;

Provided that no firm shall be a foreman unless such firm is registered under the Indian Partnership Act, 1932 (Central Act IX of 1932);

(11) Omitted.

(12) "non-prized subscriber" does not include a subscriber who has defaulted in the payment of subscriptions due according to the terms of the chit agreement;

(13) "prize amount" means the difference between the chit amount and the discount, and, in the case of a fraction of a ticket means the difference between the chit amount and the discount proportionate to the fraction of the ticket; and when the prize amount is payable otherwise than in cash, the value of the prize amount shall be the value at the time it becomes payable;

(14) "prized subscriber" means a subscriber who has either received or is entitled to the prize amount;

(15) "Registrar" means a Registrar appointed under sub-section (1) of section 51;

(16) "subscriber" includes a person who holds a fraction of a ticket and also a transferee of a ticket or a fraction thereof by assignment in writing or by operation of law;

(17) "ticket" means the share of a subscriber in a chit.

CHAPTER II

Constitution and Registration

3. **Registration of by-laws.**—(1) Save as otherwise provided in this Act, no person shall start or conduct any chit unless he has registered with the Registrar the proposed by-laws of the chit.

(2) For the purpose of registration, there shall be filed with the Registrar the by-laws of the chit in duplicate signed by the foreman and attested by at least two witnesses.

(3) The Registrar, on being satisfied that the by-laws are not contrary to this Act or to the rules made thereunder, shall issue to the foreman a certificate of registration and such certificate shall be conclusive evidence that the by-laws of the chit therein mentioned are duly registered.

(4) The Registrar shall retain the by-laws of the chit and return the duplicate of the by-laws to the foreman with an endorsement that the by-laws have been registered.

4. **Prohibition of invitation for subscription to chit of which by-laws have not been registered.** No person shall issue or publish any notice, circular, prospectus or other document containing the terms and conditions of any chit or inviting the public to subscribe for tickets in any chit unless such notice, circular, prospectus or other document relates to a chit the by-laws of which have been registered.

5. **Form of chit agreement.** Every chit agreement shall be in duplicate and shall be signed by the subscribers or by persons authorized in that behalf in writing by the subscribers, and the foreman and attested by at least two witnesses, and it shall contain the following particulars, namely:—

- (1) The full name and the permanent residential address of every subscriber;
- (2) the tickets held by each subscriber;
- (3) the number of instalments and the amount payable in respect of each ticket for each instalment;
- (4) the dates of commencement and termination of the chit;
- (5) the mode of ascertaining the prized subscriber;
- (6) the amount of discount which the prized subscriber at any instalment has to forego;
- (7) the mode and proportion in which the discount is distributable by way of dividend, foreman's commission and other expenses, if any;
- (8) the date, time and place at which the chit is to be drawn.
- (9) if under the chit agreement the foreman is entitled to the chit amount, the instalment at which the foreman is to get the chit amount;
- (10) the approved bank or banks in which chit moneys shall be deposited by the foreman under the provisions of this Act;
- (11) the manner in which a chit shall be continued, where a foreman who is an individual dies or becomes of unsound mind; and
- (12) any other particulars which may be prescribed.

Explanation.—It is sufficient to get the signature of each subscriber on separate copies of the agreement.

6. **Filing of chit agreement.**—(1) Every chit agreement with its duplicate shall be filed with the Registrar.

(2) The Registrar shall retain the chit agreement and return the duplicate chit agreement to the foreman with an endorsement that the chit agreement is filed.

7. **Commencement of chit business.**—(1) No person shall commence any auction or drawing of any chit unless he has obtained a certificate of commencement from the Registrar.

(2) The Registrar shall, on being satisfied that the by-laws of the chit have been registered and the chit agreement has been filed and the security required under section 12 has been furnished by the foreman, grant a certificate of commencement.

8. **Copies of by-laws and chit agreement to be given to subscribers.**—(1) The foreman shall, as soon as may be after he has obtained the certificate of commencement referred to in section 7, but not later than the date of the first drawing of the chit, furnish to every subscriber a copy of the by-laws of the chit and of the chit agreement certified by him to be a true copy.

(2) The foreman shall, within the fifteenth day of the month succeeding the month in which the first instalment of the chit is drawn, file with the Registrar a certificate to the effect that he has complied with the provisions of sub-section (1).

9. Alteration of chit agreement.—The chit agreement shall not be altered, added to or cancelled except with the consent in writing of the foreman and all the subscribers to the chit.

10. Minutes of proceedings.—(1) Minutes of the proceedings of every drawing shall be drawn up and entered in a book to be kept for that purpose and shall be signed by the foreman and all the subscribers present. It shall also be signed by the prized subscriber or his authorized agent.

(2) Such minutes shall state clearly—

- (i) the date and hour when the proceedings began and ended and the place where the drawing was held;
- (ii) the number of the particular instalment of the chit of which proceedings are recorded;
- (iii) the names of the subscribers present;
- (iv) the person or persons who become entitled to the prize amount in the particular instalment;
- (v) the amount of discount;
- (vi) full particulars regarding the disposal of the prize amount in respect of the preceding instalment and disposal of unpaid prize amount, if any, in respect of any previous instalment; and
- (vii) any other particulars which may be prescribed.

11. Copy of minutes to be filed with the Registrar.—Every foreman shall, within the fifteenth day of the month succeeding the month in which one or more instalments of the same chit or one or more instalments of any other chit are drawn, file with the Registrar a copy of the minutes referred to in section 10 in respect of the drawings at all such instalments and certified by the foreman to be a true copy.

CHAPTER III

Foreman

12. Security to be given by foreman.—(1) For the proper conduct of the chit every foreman shall, before applying for the certificate of commencement under section 7,—

- (a) execute an indenture of mortgage and trust in favour of the Registrar as trustee charging by way of security property sufficient to the satisfaction of the Registrar for the realization of the chit amount; or
- (b) (i) deposit in any approved bank an amount of cash not less than half of the chit amount, or
- (ii) invest in Government securities of the face value or market value, whichever is less of not less than half of the chit amount.

and transfer the amount so deposited or the Government securities in favour of the Registrar to be held in trust by him as security:

Provided that, where movable property is charged by way of security, only such kind of movable property, as may be prescribed shall be so charged and such movable property shall be deposited in such manner and with such person or officer as may be prescribed.

(2) Where a foreman conducts more than one chit, he shall furnish security in accordance with the provisions of sub-section (1) in respect of each such chit.

(3) Subject to the provisions of section 520 of the Companies Act, 1956 (Central Act I of 1956), the security given by the foreman under sub-section (1) shall not be liable to be attached in execution of a decree or otherwise—

- (i) until the chit is terminated and the claims of all the subscribers are fully satisfied;
- (ii) until all dues payable by the foreman under this Act to the Registrar or any other officer have been paid;
- (iii) where owing to the default of the prized subscriber the prize amount due remains unpaid even after the termination of a chit until the foreman deposits such amount in an approved bank mentioned in the chit agreement and intimates in writing the fact of such deposit to the prized subscriber.

(4) The Registrar shall, after the termination of a chit and after satisfying himself that the requirements under clauses (i) to (iii) of sub-section (3) have been complied with, release the property charged by way of security or order the release of the cash security or the Government securities referred to in sub-section (1) and in so doing, he shall follow such procedure as may be prescribed.

(5) The Registrar may, on the application of any foreman, instead of releasing the security under sub-section (4), accept the same as security in respect of any other chit or chits conducted by the same foreman. If the value or amount of the security so accepted is less than the value or amount specified in sub-section (1), the Registrar shall require the foreman to furnish additional security to make up the deficiency. If the value or amount of such security is in excess of the value or amount required, the Registrar shall release such excess.

(6) Notwithstanding anything to the contrary contained in any other law, the security furnished under this section shall not be dealt with by the foreman during the currency of the chit and any dealing by the foreman with respect thereto by way of transfer, charge, mortgage or other encumbrance shall be void.

13. The rights of the foreman.—The foreman shall be entitled—

- (a) in the absence of any provision in the chit agreement to the contrary, to obtain the chit amount at the instalment specified in the chit agreement;
- (b) to such commission or remuneration not exceeding five per cent of the chit amount as may be fixed in the chit agreement;
- (c) to receive and realize all contributions from the subscribers and to distribute the prize amounts to prized subscribers and the dividend among the subscribers;
- (d) to demand sufficient security from any prized subscriber for the due payment of future subscriptions;
- (e) to substitute subscribers in the place of defaulters; and
- (f) to do all other acts that may be necessary for the due and proper conduct of the chit.

14. The duties of the foreman.—(i) The foreman shall, on the prized subscriber furnishing sufficient security for the due payment of future subscriptions, be bound to pay him the prize amount:

Provided that the prized subscriber shall be entitled to demand immediate payment of the prize amount after deducting all future subscriptions without any security whatsoever, and in such case the foreman shall, before the date of the next succeeding instalment, deposit in an approved bank mentioned in the chit agreement the amount of future subscriptions deducted as aforesaid and he shall not withdraw the amount so deposited except for payment of future subscriptions.

(2) If owing to the default of the prized subscriber the prize amount due in respect of any drawing remains unpaid before the date of the next succeeding drawing, the foreman shall deposit the same forthwith in an approved bank mentioned in the chit agreement and intimate in writing the fact of such deposit to the prized subscriber.

(3) Every payment of the prize amount, the deposit of the amount of future subscriptions under sub-section (1) and the deposit of the prize amount under sub-section (2) shall be intimated to the subscribers at the next succeeding drawing, and particulars of such payment or deposit entered in the minutes of the proceedings of that drawing.

(4) The foreman shall not appropriate for himself any amount in excess of what he is entitled to under clauses (a) and (b) of section 13:

Provided that the foreman may appropriate for himself the interest accruing on the amount deposited under the proviso to sub-section (1).

15. Registers and books of account.—The foreman shall keep such registers and books of account, and in such form, as may be prescribed.

16. Balance-sheet.—(1) Every foreman shall prepare and file with the Registrar in such manner and within such time as may be prescribed, a balance-sheet duly audited either by auditors duly qualified to act as auditors of companies under the Companies Act, 1956 (Central Act I of 1956), or by a Chief Auditor appointed under sub-section (2) of section 51 and relating to the period of account.

(2) The balance-sheet referred to in sub-section (1) shall—

(a) contain a summary of the assets and liabilities of the chit; and

(b) give such particulars as will disclose the nature of the assets and liabilities and how the value of the assets has been arrived at.

17 Liability of the foreman to the subscribers.—(1) Every foreman shall be liable to account to the subscribers for the amounts due to them.

(2) Where there are more than one foreman each one of them jointly and severally or if the foreman is a firm, each one of the partners thereof jointly and severally and if the foreman is a Corporation, the Corporation as such shall be liable to the subscribers in respect of the obligations arising out of the chit.

18. Withdrawal of a foreman.—Where there are more than one person as foreman in a chit, none of them shall withdraw from it until the termination of the chit unless such withdrawal is assented to by all the non-prized subscribers and unpaid prized subscribers and a copy of such assent has been filed as required by section 32. Such withdrawal shall not however, affect the security given under section 12.

CHAPTER IV

Non-prized Subscribers

19. Non-prized subscriber to pay subscription and get receipt.—Every non-prized subscriber shall pay his subscription at the time and place mentioned in the chit agreement and shall on such payment be entitled to get a receipt from the foreman.

20 Removal of defaulting subscribers.—(1) A non-prized subscriber who defaults in paying his subscription in accordance with the terms of the chit agreement shall be liable to have his name removed from the list of subscribers. Every such removal shall, with the date thereof, be entered in the relevant book maintained by the foreman. A written notice of such removal shall be given by the foreman to the defaulting subscriber within fourteen days of such removal.

(2) A true copy of the entry referred to in sub-section (1) shall be filed by the foreman with the Registrar within fourteen days from the date of such removal.

(3) Any defaulting subscriber aggrieved by the removal of his name from the list of subscribers may, within seven days of the communication to him of the notice of removal, appeal to the Registrar.

(4) The Registrar may, after giving the parties an opportunity of being heard, pass such orders on the appeal as he thinks fit and the decision of the Registrar shall be final.

21. Substitution.—(1) The foreman may substitute in the list of subscribers any person in the place of a defaulting subscriber whose name has been removed from such list under sub-section (1) of section 20:

Provided that no such substitution shall be made until the expiry of the period allowed for appeal under sub-section (3) of section 20, or where any such appeal has been preferred, until the same has been disposed of.

(2) Every substitution referred to in sub-section (1) shall, with the date thereof, be entered in the relevant book maintained by the foreman. A true copy of every such entry shall be filed by the foreman with the Registrar within fourteen days from the date of substitution.

(3) All arrears of subscriptions realised from the substituted subscriber, less any amount advanced by the foreman, shall, before the date of the next succeeding instalment be deposited by the foreman in an approved bank mentioned in the chit agreement. The foreman shall not withdraw the amount so deposited except for payment to the defaulting subscriber.

Explanation.—For the purposes of sub-section (3), 'arrears of subscriptions' shall mean all the previous instalments realised from the substituted subscriber.

22. Amount due to defaulting subscriber how dealt with.—When a substituted subscriber draws the prize amount the defaulting subscriber shall be entitled to recover from the foreman his contributions subject to such deductions as may be provided for in the chit agreement. The foreman shall due on demand made by the defaulting subscriber and on his executing an acknowledgement duly signed be bound to pay to the defaulting subscriber the amount due to him before the date of the next succeeding instalment. If the defaulting subscriber fails to furnish the acknowledgement as aforesaid, the foreman shall, before the date of the next succeeding instalment, deposit in an approved bank the amount due to the defaulting subscriber. The amount so deposited shall not be withdrawn by the foreman for any purpose other than for payment to the defaulting subscriber.

CHAPTER V

Prized Subscribers

23. Prized subscriber to give security.—Before receiving the prize amount without deducting all future subscriptions every prized subscriber shall furnish and the foreman shall take sufficient security for the due payment of future subscriptions and if the foreman is the prized subscriber, he shall give security for the due payment of future subscriptions to the satisfaction of the Registrar.

24. Prized subscriber to pay the subscription regularly.—Every prized subscriber shall pay his subscriptions regularly at the time and place and on the date mentioned in the chit agreement and on his failure to do so, he shall be liable to make a consolidated payment of all the future subscriptions at once.

25. Foreman to demand future subscriptions by written notice.—(1) A foreman shall not be entitled to claim consolidated payment of all the future subscriptions from a defaulting prized subscriber unless he shall have demanded the same in writing.

(2) If in a suit by a foreman for consolidated payment of future subscriptions from a defaulting prized subscriber, the defendant pays into court on or before the date to which the suit is posted for hearing the arrears of subscriptions till that date together with interest thereon at the rate provided for in the chit agreement or at twelve per cent per annum simple interest whichever is lower, and the costs of the suit for payment to the plaintiff then, notwithstanding any contract to the contrary, the court shall pass a decree directing that the defendant shall deposit in court for payment to the plaintiff, the future subscriptions on or before the dates on which they fall due and that in default of payment by the defendant of any future subscription on or before the due date the plaintiff shall be at liberty to realize in execution all the future subscriptions and interest thereon, less the amount, if any already deposited by the defendant.

Provided that if any such suit is upon a promissory note no decree shall be passed under this sub-section unless such promissory note expressly state that the amount due under the promissory note is towards payment of subscriptions to the chit.

(3) Any person who holds an interest in the property furnished as security or any part thereof shall be entitled to make payment under sub-section (2).

(4) All consolidated payments of future subscriptions realized by a foreman shall be deposited in an approved bank before the date of the next succeeding instalment. The amount so deposited may be withdrawn only for payment of future subscriptions. When any property is acquired in lieu of the consolidated payment, it shall remain as security for the due payment of future subscriptions.

CHAPTER VI

Transfer

26. Restrictions on transfer of right of foreman.—(1) No transfer of the rights of a foreman to receive subscriptions from prized subscribers shall be made without the previous sanction in writing of the Registrar.

(2) Any such transfer of the rights of a foreman to receive subscriptions from a prized subscriber shall, if it is likely to affect prejudicially the interest of any non-prized subscriber or unpaid prized subscriber, be set aside on application by such subscriber to such officer as may be empowered by the Administrator in this behalf.

(3) When under sub-section (2) a transfer is disputed by a subscriber, the burden of proving that the foreman was insolvent circumstances at the time of the transfer and that the transfer is not likely to affect prejudicially the interest of any such subscriber is upon the transferee.

27. Transfer of nonprized subscriber's right to be in writing.—Every transfer by a non-prized subscriber of his rights in the chit shall be in writing duly attested by at least two witnesses and shall be filed with the foreman.

28. Recognition of transfer by the foreman.—Every transfer under section 27 shall be recognized by the foreman, unless the transferee is not solvent or the transfer was effected with a view to defeat the provisions of any law.

29. Entry of transferee's name in the book.—Every transfer made under section 26 or section 27 shall be entered by the foreman in the books of the chit forthwith and a true copy of such entry shall be filed by the foreman with the Registrar within fourteen days from the date of such entry.

CHAPTER VII

Termination of Chits

30. Provisions from continuation of chits in certain cases.—Where the foreman who is an individual dies or becomes of unsound mind, the chit may be continued in accordance with the provisions of the chit agreement.

31. Termination of chit.—A chit shall be deemed to have terminated—

- (a) when the period fixed in the chit agreement has expired, provided payment of dues to all the subscribers has been completed; or
- (b) when all the non-prized and unpaid prized subscribers consent in writing to the termination of the chit and a copy of such consent is filed as required by section 32; or
- (c) when a foreman, who is an individual, dies or becomes of unsound mind and the chit is not continued in accordance with the provisions of the chit agreement.

Provided that in the case of a foreman which is a firm, if a partner dies or becomes of unsound mind, the chit shall not be deemed to have terminated and the surviving partner or partners shall conduct the chit in the absence of any provision to the contrary in the chit agreement.

32. Copy of assent or consent to be filed with the Registrar.—A true copy of every assent mentioned in section 13 and of every consent mentioned in section 31, with the date of such assent or consent shall be filed by the foreman or by the remaining foreman or foremen, as the case may be, with the Registrar within fourteen days from the date of such assent or consent.

33. Refund of non-prized subscriber's contributions.—Except in the cases referred to in clauses (a) and (b) of section 31—

- (a) every non-prized subscriber shall, unless otherwise provided for in the chit agreement, be entitled to get back his contribution at the termination of the chit without deduction for dividend, if any, received by him:

Provided that any person to whom the rights of a non-prized subscriber are transferred under sections 27, 28 and 29 shall, in addition to his own contributions, be entitled to get back the contribution made by such non-prized subscriber, subject to the conditions specified in this clause;

- (b) if the chit terminates on a date earlier than the date originally fixed in the chit agreement, the non-prized subscriber's claim shall be deemed to have arisen on the date on which he has notice thereof.

34. Subscribers' dues to be first charge on chit assets.—Where there are debts due from the foreman of a chit in relation thereto and also other debts due from such foreman, the chit debts due to the subscribers shall be a first charge on the chit assets.

CHAPTER VIII

Inspection of Documents

35. Foreman to allow subscriber to examine chit records.—Every foreman shall, on payment of such fee not exceeding five rupees as may be specified in the chit agreement, allow non-prized and unpaid prized subscribers all reasonable facilities on all days of drawing of chits or on such days and within such hours as may be provided for in the chit agreement for the inspection of security bonds and documents, receipts and other records taken from the prized subscribers or furnished by the foreman himself in his capacity as a subscriber and all chit records including books of account and pass books, the balance sheets and profit and loss accounts and such other records as may show the actual financial position of the chit scheme.

36. Preservation of chit records by foreman.—All the records pertaining to a chit shall be preserved intact by the foreman and kept for a period of six years from the date of the termination of the chit.

37. Inspection of chit books and records.—(1) (a) The Registrar; or

(b) any officer authorized by the Director of chits in this behalf, may inspect the chit books and all records after giving due notice in writing to the foreman.

(2) Every foreman shall be bound to produce the chit books and records before the Registrar or the officer authorized under sub-section (1) at the time and place mentioned in the notice and shall furnish such information to him as he may require:

Provided that such inspection may be made at the premises of the foreman if he pays in advance such fees as may be prescribed for the inspection:

Provided further that if the foreman is a banking company as defined in the Regulation, Banking Companies Act, 1949 (Central Act 10 of 1949), or a corporation established by or under any statute and carrying on the business of banking, such inspection shall be made only at the premises of the company or the corporation, as the case may be, and only on a working day and such foreman shall pay such fees as may be prescribed for the inspection.

CHAPTER IX

Winding up of Chits

38. When chit may be wound up.—A chit may be wound up by the District Court—

- (a) if the chit has terminated under clause (c) of section 31, or
- (b) if the foreman fails to give the security specified in section 12 or if he commits any such act in respect thereto as are calculated to impair materially the nature of the security or the value thereof, or
- (c) if he fails to deposit the chit moneys in accordance with the provisions of this Act, or
- (d) if it is proved to the satisfaction of the court that the foreman is unable to pay the amounts due to the subscribers, or
- (e) if execution or other process issued on a decree or order of any court in favour of any subscriber in respect of amounts due to him from the chit is returned unsatisfied in whole or in part, or
- (f) if it is proved that there has been fraud or collusion on the part of the foreman in the matter of taking securities from prized subscribers, or
- (g) if the foreman has appropriated the prize amount in his capacity as a subscriber without furnishing sufficient security for future subscriptions, or
- (h) if it is just and equitable that the chit should be wound up.

Explanation.—For the purposes of clause (d) in determining whether the foreman is unable to pay the amounts due to the subscribers, the court shall take into account his contingent and prospective liabilities in respect of the chit:

Provided that a chit conducted by a company within the meaning of the Companies Act, 1958 (Central Act I of 1956), shall be wound up only by the court having jurisdiction under that Act.

39. Winding up application.—The application to the court for the winding up of a chit shall be by a petition presented by any non-prized subscriber or unpaid prized subscriber or by the Registrar, signed and verified in the manner prescribed by the Code of Civil Procedure, 1908 (Central Act V of 1908), and shall contain such particulars as may be prescribed:

Provided that no application for the winding up of a chit under clauses (d) and

(h) of section 38 shall lie unless such petition is presented—

- (a) by those non-prized subscribers and those unpaid prized subscribers whose subscriptions to the chit amount in the aggregate to at least twenty-five per cent of the amounts contributed by all the non-prized subscribers and unpaid prized subscribers; or
- (b) with the previous sanction of the Administrator.

Explanation.—For the purposes of the above proviso, a subscriber of a fraction of a ticket shall be deemed to be a subscriber only to the extent of such fraction.

40. Insolvency or liquidation a bar to winding up proceedings.—Notwithstanding anything contained in sections 38 and 39, no petition for the winding up of a chit shall be entertained by a court if proceedings under the law relating to insolvency for the time being in force are pending against the foreman for adjudicating him an insolvent or when the foreman is a company, if proceedings for winding up the company are pending against such company in a court.

41. Commencement and effect of winding up order.—An order for the winding up of a chit shall operate in favour of all the subscribers to whom amounts are due from the chit and it shall be deemed to have commenced from the time of the presentation of the application for the winding up.

42. Injunction order.—The court may, upon the application of the foreman or of any subscriber to whom amounts are due in respect of the chit at any time after the presentation of the application for the winding up of a chit under this Act and before the making of an order for the appointment of an Interim Receiver or for winding up the chit, restrain further proceedings in any suit or proceeding instituted against the foreman for the realization of amounts due from the chit upon such terms as the court thinks fit.

43. Powers of court on hearing the application.—On hearing the application, the court may dismiss it with or without costs or adjourn the hearing conditionally or unconditionally or make an interim order or any other order that it deems fit.

44. Chit assets to vest in court for distribution.—On the making of an order for the winding up of a chit, the entire chit assets shall vest in the court for distribution amongst the subscribers to whom amounts are due in respect of the chit and the court shall pass such orders in the matter (including the appointment of a receiver) as it deems fit.

45. Suits stayed on winding up orders.—When a winding up order has been made by a court, no suit or other legal proceedings shall be continued or commenced against the foreman by a subscriber for the realization of amounts due to him in respect of the chit except with the leave of the court and on such terms as the court may impose.

46. Copy of winding up order to be filed with the Registrar.—(1) On the making of a winding up order, it shall be the duty of the petitioner in the winding up proceedings and of the Receiver to file with the Registrar a copy of the order, within one month from the date of the making of the order:

Provided that the Registrar may, upon application in writing by such petitioner or Receiver, allow, in his discretion, further time not exceeding fifteen days for the filing of any such copy.

(2) On the filing of a copy of the winding up order, the Registrar shall make an entry thereof in his books relating to the chit and shall notify in the *Chandigarh Gazette* that such an order has been made.

47. Stay of winding up proceedings on insolvency of foreman and transfer of insolvency proceedings.—When during the pendency of the proceedings for the winding up of a chit, the foreman is adjudicated an insolvent or when the foreman is a company, the company has been ordered to be wound up by the court, the winding up proceedings under this Act shall cease and the distribution of the chit assets shall, subject to the provisions contained in sections 34 and 42, be made by the insolvency court or the court winding up the company, as the case may be.

48. Compensation for frivolous or vexatious application.—(1) When an application presented for winding up a chit is dismissed and the court is satisfied that the application is frivolous or vexatious, the court may award against the applicant such amount, not exceeding five hundred rupees, as it deems reasonable as compensation to the foreman for the expense or injury occasioned to him by the application and the proceedings thereon and such amount may be realized as if the award were a decree.

(2) Compensation under sub-section (1) shall bar any suit for compensation.

49. Right of appeal.—The foreman, any subscriber, the Receiver or any other person aggrieved by a decision or order of the court in proceedings for winding up a chit may, within two months from the date of such decision or order, appeal to the High Court.

50. Limitation.—(1) Where an order refusing to wind up a chit has been made under this Act, the chit shall be deemed to have been under suspension from the date of the presentation of the application to the date of such order in respect of non-prized subscribers, and notwithstanding anything contained in the chit agreement, no non-prized subscriber who was not a defaulter on the date of the presentation of the application for winding up shall be deemed to be a defaulter on the date of its dismissal.

(2) Where an order refusing to wind up a chit has been made under this Act in computing the period of limitation prescribed for any suit or other legal proceedings (other than a suit or an application in respect of which the leave of the court has been obtained) which might have been brought or instituted the period from the date of the presentation of the application to the date of the order refusing to wind up the chit shall be excluded.

(3) Nothing contained in this Act shall affect the right of the subscriber to proceed by suit or application against the foreman personally for the balance, if any, of the amount due to him after the declaration of the final dividend in proceedings for winding up the chit and in computing the period of limitation prescribed for any such suit or application, the period from the date of the presentation of the application for winding up the chit to the date of the declaration of the final dividend shall be excluded.

CHAPTER X

Officers, Inspection and Fees

51. Appointment of Director of Chits, Inspecting Officers, Registrars and Chit Auditors.—(1) The Administrator may, by notification, appoint a Director of Chits and as many Inspecting Officers and Registrars as may be necessary for the purpose of discharging the duties imposed upon the Director of Chits, the Inspecting Officers and the Registrars by or under this Act or the rules made thereunder.

(2) The Directors of Chits may appoint as many Chit Auditors as may be necessary for the purpose of discharging the duties imposed upon the Chit Auditors by or under this Act or the rules made thereunder.

(3) All Inspecting Officers, Registrars and Chit Auditors shall discharge the duties imposed upon them by or under this Act or the rules made thereunder under the general superintendence and control of the Director of Chits.

(4) If the Registrar is of the opinion that the accounts of any chit are not properly maintained and that such accounts should be audited, it shall be lawful for him to have such accounts audited by a Chit Auditor. It shall be the duty of the foreman of the chit concerned to produce before the Chit Auditor all accounts, books and other records relating to the chit, to furnish him with such information as may be required and to afford him all such assistance and facilities as may be necessary or reasonable and as may be required in regard to the audit of the accounts of the chit.

(5) The foreman shall pay to the Chit Auditor such fees as may be prescribed for the audit of the accounts of a chit under sub-section (4).

52. Inspection of documents in the Registrar's office.—Any person may, on payment of such fees as may be prescribed—

(i) inspect the documents kept by the Registrar; and

(ii) obtain a copy or extract of any document to be certified by the Registrar.

53. Levy of fees.—(1) There shall be paid to the Registrar such fees as the Administrator may, from time to time, prescribe for—

(a) the registration of the bye-laws of a chit under section 3;

(b) the grant of a certificate of commencement under section 7;

(c) filing with the Registrar of the chit agreement and copies of documents under sections 11, 20, 21, 29 and 32;

(d) the inspection of documents under section 52;

(e) the certificate, copy of or extract of documents under section 52;

(f) the audit of the accounts of the foreman and the issue of an audit certificate;

(g) such other matters as may appear necessary to give effect to the purposes of this Act.

(2) A table of fees payable under sub-section (1) shall be published in the

CHAPTER XI

Miscellaneous

54. Appeals.—(1) Any foreman aggrieved by an order of the Registrar—

- (a) refusing to register the bye-laws of a chit under sub-section (1) of section 3;
- (b) refusing to grant a certificate of commencement under sub-section (2) of section 7;
- (c) refusing to accept the security under clause (a) of sub-section (1) of section 12 or under section 23; or
- (d) refusing to release the property charged by way of security or to order the release of the cash security or the Government securities under sub-section (4) or sub-section (5) of section 12.

may, within thirty days of the communication to him of such order, appeal to the Director of Chits.

(2) Any foreman or any other person aggrieved by an order of the Registrar under sub-section (1) of section 26 or by an order of an officer empowered by the Administrator under sub-section (2) of that section may, within thirty days of the communication to him of such order, appeal to the Director of Chits.

(3) The Director of Chits may, after giving the appellant an opportunity of being heard, pass such orders on the appeal under sub-section (1) or sub-section (2), as he thinks fit.

55. Power of Registrar to condone delay in certain cases.—The Registrar may, in his discretion and upon an application in writing by any foreman made within the period of fourteen days specified in any of the provisions of sub-section (2) of section 20, sub-section (2) of section 21, section 29 and section 32, allow to the foreman further time not exceeding fifteen days to file a copy of any document under any of the provisions referred to above.

56. Penalties.—(1) Whoever contravenes or abets the contravention of any of the provisions of sections 3, 4 and 7 shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to five hundred rupees or with both.

(2) Any foreman—

- (a) who does not file the chit agreement under section 6 or a copy of any document under section 11, sub-section (2) of section 20, sub-section (2) of section 21, section 29 or section 32 within the period specified for such filing or within the further time allowed under section 55 for such filing; or
- (b) who contravenes any of the provisions of section 8, sub-sections (1) and (6) of section 12, section 14, section 15, section 16, section 20, section 21, section 22, section 23, sub-section (4) of section 25, section 29, section 35, section 36, section 37 and sub-section (4) of section 51; or
- (c) who fails to comply with the requirements of the chit agreement regarding the date, time and place at which the chit is to be drawn;

shall be punishable with fine which may extend to one hundred rupees.

(3) Whoever in any document required by, or for purposes of, any of the provisions of this Act wilfully makes a statement false in any material particular knowing it to be false, shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to five hundred rupees or with both.

57. Cognizance of offences.—No court inferior to that of a salaried magistrate of the first-class shall try any offence under this Act.

58. Application of fines.—The court imposing any fine under this Act may direct that the whole or any part thereof be applied in or towards payment of the costs of the proceedings.

59. Power to enter and search any place and to seize documents, etc.—(1) A magistrate of the first-class may, on receiving a report from the Registrar or the Inspecting Officer appointed under sub-section (1) of section 51 that any person conducts or is responsible for the conduct of a chit in any place in contravention of the provisions of this Act, issue a warrant empowering the Registrar or the Inspecting Officer to enter such place with such assistants as he considers necessary and inspect the books, registers, accounts or documents in such place. On receiving such warrant the Registrar or the Inspecting Officer may enter the place with such assistants as he considers necessary and inspect the books, registers, accounts or documents in such place and may take to his office for further investigation such books, registers, accounts and documents as he considers necessary :

Provided that if the Registrar or the Inspecting Officer removes from the place any book, register, account or document, he shall give to the person in charge of the place a receipt describing the book, register, account or document so removed by him :

Provided further that within twenty-four hours of the removal of the books, registers, accounts and documents from the place, the Registrar or the Inspecting Officer shall either return them to the person from whose custody they were removed or produce them in the court of the magistrate who issued the warrant. Such magistrate may return the books, registers, accounts and documents or any of them to the person from whose custody they were removed by the Registrar or the Inspecting Officer, after taking from such person such security as the magistrate considers necessary for the production of the books, registers, accounts and documents when required whether by the Registrar or by the Inspecting Officer or by the court, or may pass such other orders as to their disposal as appear just and convenient to the magistrate.

(2) The Registrar or the Inspecting Officer shall have authority to require any person whose testimony he may require regarding any chit agreement to attend before him or to produce or cause to be produced any document and to examine such person on oath.

(3) The Registrar or the Inspecting Officer may apply for assistance to an officer in charge of a police station and take Police officers to accompany and assist the Registrar or the Inspecting Officer in performing his duties under this Act.

60. Payment to be evidenced by document.—All payments in respect of a chit whether by the foreman or by the subscriber shall be evidenced by documents in writing.

61. Interest at more than twelve per cent not to be allowed.—No court shall award interest on claims arising under this Act at more than twelve per cent per annum simple interest.

62. Power of court to grant relief in certain cases.—Nothing contained in the foregoing provisions of this Act shall affect the powers vested in a court for granting relief against any of the provisions contained in the chit agreement, if the same be unconscionable or opposed to the provisions of any law.

63. Power to make rules.—(1) The Administrator may make rules for carrying out all or any of the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for or regulate—

(a) all matters expressly required or allowed by this Act to be prescribed;

(b) the matters in respect of which provision shall be made in the by-laws of a chit and the procedure to be followed in making, registering, altering and abrogating by-laws, and the conditions to be satisfied prior to such making, registration, alteration or abrogation;

- (c) the particulars which every chit agreement shall contain;
- (d) the method of valuation of grains by the Registrar in a grain chit, for the purposes of security under section 12;
- (e) the restrictions and conditions subject to which and the manner in which, any security given by a foreman under section 12 may be changed or substituted;
- (f) the procedure to be followed by the Registrar for the release of security given by the foreman under section 12;
- (g) the maintenance of registers and books of accounts by the foreman, the safe custody of books, papers and documents in the Registrar's office and also for the destruction of such books, papers and documents as need no longer be kept;
- (h) the procedure to be followed for the winding up of a chit under Chapter IX; and
- (i) the auditing of the balance sheets and profit and loss accounts and the issue of audit certificates.

(3) (a) All rules made under this Act shall be published in the Chandigarh Gazette and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) All notifications issued under this Act, shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are published.

(4) Omitted.

64. Recovery of amounts due from a foreman.—All amounts due from a foreman to the Registrar or any other officer under this Act by way of any fee shall be recoverable as arrears of land revenue.

65. Act not to apply to certain chits.—The provisions of this Act shall not apply in respect of—

- (1) any chit started before the commencement of this Act, or
- (2) any chit the amount of which or where two or more chits are started or conducted simultaneously by the same foreman, the aggregate chit amount of which does not exceed one hundred rupees.

66. Power to exempt.—The Administrator may, by notification, exempt any person or class of persons to whom or any chit or class of chits to which this Act applies from all or any of its provisions, subject to such conditions as he deems fit and may cancel or modify any such notification.

67. Amendment of Central Act II of 1899 in its application to the Union territory of Chandigarh.—In Schedule 1-A, to the Indian Stamp Act, 1899 (Central Act II of 1899), in its application to the Union territory of Chandigarh, after entry 20, the following entry shall be inserted, namely:—

<p>"20-A. A chit agreement, that is an agreement relating to a chit as defined in clause (2) of section 2 of the Madras Chit Funds Act, 1961 as extended to the Union territory of Chandigarh if either such agreement is executed or the chit is conducted in the Union territory of Chandigarh.</p>	}	One rupee."
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68. Omitted.

69. **Power to remove difficulties.**—(1) If any difficulty arises in giving effect to the provisions of this Act, the Administrator may, as occasion may require, by order, do anything which appears to him to be necessary for the purpose of removing the difficulty.

(2) Omitted.

[No. F. 15/3/67-UTL-97.]

P. N. VASUDEVAN, Dy. Secy.